

1818
107 Rec'd PCT/PTO 17 DEC 1996
G1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

8/5/97
In re the Application of: Pradier et al. Group Art Unit:
International Application No: PCT/FR95/00250
Serial No: 08/716,209 Examiner:
International Filing Date: 02 March 1995
For: Recombinant Adenoviruses Coding For Brain-Derived Neurotrophic Factor
(BDNF)

To: The Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Box PCT, Assistant Commissioner for Patents, Washington, D.C. 20231, Attn: EO/US.

Date: 16 December 1996

Julie K. Smith
Type or print name of person mailing paper

Julie K. Smith
Signature of person mailing paper

RECEIVED
FEB 07 1997
GROUP 1800

Response to Notification of Missing Requirements
Under 35 U.S.C. 371

In Response to the Notification of Missing Requirements Under 35 U.S.C. § 371 and the Notification of a Defective Oath or Declaration, both of which were mailed 25 November 1996 (copies enclosed), Applicants submit herewith the following copies:

1. Transmittal Letter (Express Mail Mailing No. GB840711586 US, deposited 09 October 1996) submitting the Declaration of the Inventors, Assignment Document for Recording, and Authorization to charge Deposit Account No. 18-1982 in the amount of \$170.00, to cover the surcharge for furnishing the declaration later than 30 months from the claimed priority date and the fee for recording the assignment.
2. Executed Declaration and Power of Attorney, filed 09 October 1996.
3. Postcard date stamped 09 October 1996, showing that the above-identified papers were received in the PCT/PTO.

Applicants respectfully submit that all papers required under 35 U.S.C.
§ 371(c) have been filed in a timely manner.

Rhône-Poulenc Rorer, Inc.
Legal Patents, #3C43
P.O. Box 5093
Collegeville, PA 19426-0997
Telephone: (610) 454-3839
Facsimile: (610) 454-3808

Respectfully submitted,



Julie K. Smith, Ph.D.
Agent for Applicants
Registration No. 38,619

Dated: *16 December 1996*

08/716.209 PRADIER L ST94014-US

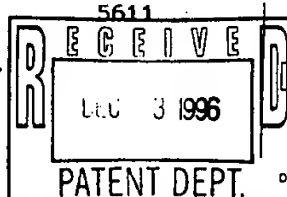
Box PCT
Washington, D.C. 20231

INTERNATIONAL APPLICATION NO.
PCT/FR95/00250

I.A. FILING DATE 03/02/95 PRIORITY DATE 03/18/94

DATE MAILED: 11/25/96

JULIE K. SMITH PHD
RHONE-POULENC RORER INC.
LEGAL PATENTS, #3C43
P.O. BOX 5093
COLLEGEVILLE PA 19426



NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☐ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

- ☐ a non-English language.
☐ English.

☒ Translation of the international application into English.

☒ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☒ Preliminary amendment(s) filed 11/25/96 and

☐ Information Disclosure Statement(s) filed and

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed

☐ Verified Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report and copies of the references cited therein.

☐ Other:

2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: ☒ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/9C5 (September 1996)

Telephone: (703)305-3734

RECEIVED
FEB 07 1997
GPO 10 1996

Reply To Missing Reqmts - 12/25/96
Stacy